

## LABOUR DEPARTMENT

The 2nd December, 1985

No. 9/5/84-6Lab/9186.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Fabri Tech, C-43, DLF, Industrial Area, Faridabad:—

## IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 398 of 1985

(under section 10(i) c of the I.D. Act)

between

SHRI RAM MOHAN, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S FABRI TECH., C-43, D.L.F., INDUSTRIAL AREA, FARIDABAD.

Present :—

None for the workman.

Shri Sardar Singh Sahni along with Shri H.L. Kapoor.

## AWARD

This industrial dispute between the workman Shri Ram Mohan and the respondent-management of M/s. Fabri Tech., C-43, D. L. F., Industrial Area, Faridabad has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/85/30783-88, dated 23rd July, 1985 under section 10(i) (c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Ram Mohan was justified and in order? If not, to what relief is he entitled?

According to the claim statement, the workman was employed two years back with the respondent. His services were illegally terminated on 16th February, 1985. The workmen did not appear inspite of service on the given address. Hence he was proceeded *ex parte*. The management has alleged that the claimant was never their employee. They have examined MW-1 Shri Sardar Singh of the respondent management. He has stated that there was no relationship of employer and employee. He has brought the payment of wages and attendance registers. The name of the claimant did not appear in the registers.

From the above *ex parte* evidence, I find that there was no relationship of employer and employee between the parties. The reference is bad and the workman is not entitled to any relief.

R. N. SINGAL,

Presiding Officer,

Labour Court, Faridabad.

Endorsement No. 3326, dated the 31st October, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,

Labour Court, Faridabad.